



Control Number: 38290



Item Number: 57

Addendum StartPage: 0

SOAH DOCKET NO. 473-10-4790
PUC DOCKET NO. 38290

APPLICATION OF SHARYLAND §
UTILITIES, L.P. TO AMEND ITS §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY FOR THE PROPOSED §
HEREFORD TO WHITE DEER 345 KV §
CREZ TRANSMISSION LINE IN §
ARMSTRONG, CARSON, DEAF SMITH, §
OLDHAM, POTTER, AND RANDALL §
COUNTIES, TEXAS §

BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

10 JUL -9 PM 2:52
FILED
CLERK

**NOTICE OF CONFIDENTIAL RESPONSE TO SEEWALD RANCH
AND BUSH/EMENY PROPERTIES' FIRST
REQUEST FOR INFORMATION TO SHARYLAND UTILITIES, L.P.**

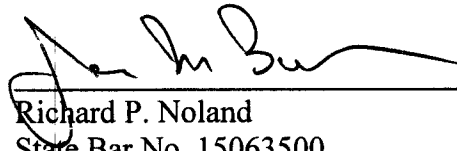
On July 2, 2010, Sharyland Utilities, L.P. ("Sharyland") filed a Motion for Entry of a Protective Order ("Motion for Protective Order"). That motion is pending. On July 9, 2010, Sharyland filed its Response to Seewald Ranch and Bush/Emeny Properties' First Request for Information ("Response"). Sharyland's Response to Seewald-SU 1-12 (RFI) contained commercially sensitive information that is considered confidential. Because a protective order is not yet adopted in this proceeding, Sharyland hereby designates the commercially sensitive information contained in its Response as Highly Sensitive Protected Material under the proposed Protective Order ("Proposed Protective Order") attached to its Motion for Protective Order. Sharyland also designates the commercially sensitive information contained in its Response as Highly Sensitive Protected Material under any protective order that is adopted in this proceeding. This notice is filed to comply with the requirements of paragraph 4 of the Proposed Protective Order relating to claims of exemption from public disclosure pursuant to the Texas Public Information Act ("TPIA").

Portions of Sharyland's Response contained information that is Highly Sensitive Protected Material exempt from public disclosure pursuant to TEX. GOV'T CODE §§ 552.101,

552.104, and 552.110. This material includes, but is not limited to, information that is of a highly commercial and sensitive nature involving company business operations that, if released, would give advantage to a competitor or bidder. More particularly, portions of Sharyland's Response contain confidential information with respect to the identity and location of certain wind generation facilities. This is market-sensitive commercial information, and the public disclosure of this exempt information could cause substantial competitive harm to Sharyland and/or its affiliates and would be contrary to the state legislative policy in the Public Utility Regulatory Act.

The undersigned counsel for Sharyland has reviewed the information sufficiently to state in good faith that the information is exempt from public disclosure under the TPIA and merits the confidential and highly sensitive protected material designation.

Respectfully submitted,



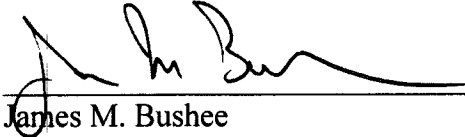
Richard P. Noland
State Bar No. 15063500
James M. Bushee
State Bar No. 24015071
James E. Guy
State Bar No. 24027061
SUTHERLAND ASBILL & BRENNAN LLP
Austin Centre
701 Brazos Street, Suite 970
Austin, Texas 78701-2559
(512) 721.2700 (Telephone)
(512) 721.2656 (Facsimile)

Attorneys for Sharyland Utilities, L.P.

July 9, 2010

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was mailed by U.S. Mail, postage prepaid, or delivered via facsimile, Federal Express, or hand delivery on the 9th day of July 2010, to all parties of record in this proceeding.


James M. Bushee